

1 MARKED FOR IDENTIFICATION.)

2 BY MR. MORRISON:

3 Q I'm going to hand you what I've marked as
4 Exhibit 20. This is your 2014 tax return that was
5 provided in discovery. If you look at about Page 4,
6 Schedule C, Profit or Loss from Business, 2014, it says
7 name of the business, Mountaineer Development and
8 Consulting, LLC, Nicholasville, Kentucky.

9 A Uh-huh.

10 Q Was there an office in Nicholasville?

11 A I don't know if it was in Nicholasville,
12 had an office. I don't know the name of the street it
13 was on. It was in Lexington.

14 Q This says 100 North Main Street,
15 Nicholasville.

16 A That could be it. I've never been to it.

17 Q What sort of consulting services did this
18 company provide?

19 A He provides consulting to mine-related jobs
20 and he had a sand fracking plant or something like that
21 in Wisconsin.

22 Q Did you ever do any work for this company?

23 A Not -- Not really.

24 MS. TAYLOR: I'm going to ask that if we

1 mark that as an exhibit to the deposition that we redact
2 his social security number from it.

3 MR. MORRISON: Sure.

4 MS. TAYLOR: Thank you.

5 MR. MORRISON: Absolutely. In fact, if you
6 have a marker, we can do it. We'll do it at the end of
7 the day.

8 MS. TAYLOR: Okay.

9 BY MR. MORRISON:

10 Q Anyway, I think I asked you if you did any
11 work for the company. What was your answer?

12 A Just put it in my name, and I got money for
13 -- he paid me here and there.

14 Q Why was it put in your name?

15 A I don't know. I couldn't answer that.

16 Q You agreed to do it?

17 A Yeah.

18 Q He didn't explain why he wanted it put in
19 your name?

20 A Huh-uh.

21 Q No?

22 A I didn't ask. I trust him. They basically
23 raised me.

24 Q Is this Amon you're talking about?

1 A No.

2 Q Is there a W-2 form for your income from
3 that organization? Because it's not attached.

4 A If it's not attached, I can get it for you.

5 Q Did you claim income on your income taxes
6 from that --

7 A Yes.

8 Q -- company?

9 A Yes. His accountant does my taxes.

10 Q So you're saying there is a W-2 form for
11 Mountaineer Development?

12 A It's just that there'd have to be, wouldn't
13 there?

14 Q Well, if you were paid wages, there should
15 be.

16 A Yeah. I can try to get it for you.

17 Q Is that company still in business?

18 A Mountaineer Development?

19 Q Yeah.

20 A It's idle right now. Hopefully, it'll be
21 in business here in another month.

22 Q Why is it idle?

23 A We were trying to get a highwall miner job
24 in Virginia.

1 Q If you will let me finish my question
2 before you give an answer, I'll let you finish your
3 answer before I give the next question, we don't talk
4 over each other and it's a lot easier for the court
5 reporter to take everything down. Okay?

6 A Okay.

7 Q All right. What is your current address?

8 A 151 Breedlove Lane, Julian, West Virginia,
9 25529.

10 Q And that's in Raleigh County?

11 A Boone. Boone County.

12 Q Boone County. Okay. How long have you
13 lived in Boone County?

14 A Around 14 to 18 months, somewhere through
15 there.

16 Q All right. What did you do in preparation
17 for your deposition?

18 A I tried to look over some notes, but I just
19 got aggravated with it and --

20 Q All right.

21 A Just go from there.

22 Q Did you have an opportunity to meet with
23 your lawyer?

24 A Yes.

1 A I'm actually listed as the president of the
2 company, but I'm more or less the purchasing agent.

3 Q Who do you report to?

4 A Paul Ison, Wayne Johnson, Kenny Spangler
5 and Ben Morgan.

6 Q What is the name of the company?

7 A Big Fork Development.

8 Q Big Fork?

9 A Uh-huh.

10 Q How long have you worked there?

11 A Since March.

12 Q You're listed as the president?

13 A Yes.

14 Q How many other employees are there?

15 A Eight or nine.

16 Q Do you have any supervisory
17 responsibilities?

18 A Kind of.

19 Q Explain that.

20 A Well, I got to order all the parts to keep
21 all the equipment running. I keep time sheets.
22 Anything to do with employees, really.

23 Q Do you direct their work?

24 A No.

1 Q Who does that?

2 A Ben Morgan.

3 Q Okay. So you keep their times sheets and
4 order parts. Anything else?

5 A Yeah. I clean the office. I'm basically
6 everything from the janitor to the president, whatever
7 needs to be done.

8 Q Are you paid a salary?

9 A No. I'm paid \$15 an hour right now with a
10 chance to make more money if the company makes -- makes
11 it. But right now we're \$200,000 in the hole.

12 Q How many hours a week do you work?

13 A Lately, I've been working about 100 --
14 about 100 hours -- A week? You said a week?

15 Q A week.

16 A Probably 50 to 60 sometimes.

17 Q So you're getting paid overtime --

18 A Yeah.

19 Q -- for the additional time above --

20 A Yes.

21 Q -- 40? Okay. Do you get benefits?

22 A Actually, I'm on my wife's insurance.

23 Q Are you offered benefits?

24 A Yes. We're offered insurance.